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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 *E-FILED - 1/19/07*

12 TIERRACAST, INC., a California
13 Corporation,

14 Plaintiff,

15 v.

16 EASTERN FINDINGS CORP., a New
17 York Corporation, and Does 1 through
18 10,

19 Defendant.

20 CASE NO. C 06 4930-RMW-RS

21 Assigned to The Hon. Ronald M. Whyte

22 **[PROPOSED] ORDER OF**
23 **DISMISSAL**

1 The parties' settlement agreement requires that Plaintiff, upon Defendant's
2 compliance with certain requirements of the parties' settlement agreement, lodge
3 with this court a request dismissing all claims stated in its complaint. Plaintiffs have
4 filed an application for such a dismissal and the Court determines that there is good
5 cause for the entry of such an order of dismissal.

6

7 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS**
8 **FOLLOWS:**

9 1. All claims stated in Plaintiffs' complaint are hereby dismissed.
10 2. Notwithstanding the above dismissal, this Court shall retain jurisdiction
11 for the purpose of interpreting and enforcing the parties' settlement agreement.

12

13 DATED: 1/19/07

14

15 By: Ronald M. Whyte
16 The Hon. Ronald M. Whyte
17 United States District Judge

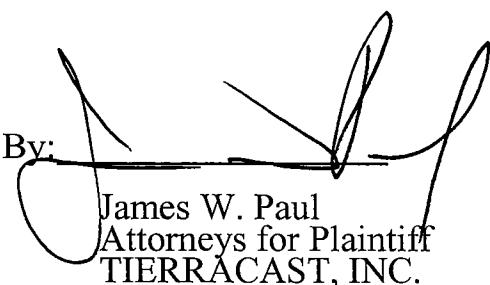
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